

Zambia

Ministerial and Parliamentary Offices (Emoluments) Act, 1992

Chapter 262

Legislation as at 31 December 1996

FRBR URI: /akn/zm/act/1992/31/eng@1996-12-31

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PDF created on 21 February 2024 at 19:14.

Collection last checked for updates: 31 December 1996.

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Ministerial and Parliamentary Offices (Emoluments) Act, 1992

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Zambia

Ministerial and Parliamentary Offices (Emoluments) Act, 1992

Chapter 262

Published

Commenced on 1 April 1992

[This is the version of this document as it was at 31 December 1996 to 17 April 1997.]

*[Amended by Ministerial and Parliamentary Offices (Emoluments)
(Amendment) Bill, 1997 (Act 19 of 1997) on 18 November 1996]*

[Act 31 of 1992; 46 of 1994; 13 of 1995; 19 of 1995; 22 of 1996; 14 of 1997]

An Act to provide for revised salaries, and gratuity payable to the holders of the offices of Vice President, Speaker, Deputy Speaker, Minister, Deputy Minister, Leader of the opposition and member of the National Assembly; to repeal and replace the Central Committee, Ministerial and Parliamentary Offices (Emoluments) Act, and to provide for matters connected with or incidental to the foregoing.

1. Short title

- (1) This Act may be cited as the Ministerial and Parliamentary Offices (Emoluments) Act.
- (2) This Act shall be deemed to have come into operation on 1st April, 1992.

2. Salaries and allowances

- (1) Subject to this section there shall be paid to the holder of an office specified in the first column of the First Schedule—
 - (a) a salary at the annual rate prescribed for that office in the second column of the First Schedule;
 - (b) a special allowance at the annual rate prescribed for that office in the third column of the First Schedule; and
 - (c) allowances in respect of postal and secretarial expenses incurred by the holder of the office of private member at the annual rate prescribed in the fourth and fifth columns of the First Schedule.
- (2) There shall be paid to the leader of the opposition a salary at the annual rate prescribed for that office in the First Schedule.

[As amended by Act No. 46 of 1994]

2A. Constituency allowance

- (1) There shall be paid to a member of the National Assembly a constituency allowance calculated—
 - (a) in the case of a member returned by a constituency specified in Part I of the Third Schedule, at the annual rate specified in the second column of the Second Schedule; and
 - (b) in the case of a member returned by a constituency specified in Part II of the Third Schedule, at the annual rate specified in the third column of the Second Schedule.

- (2) There shall be paid to a nominated member of the National Assembly in lieu of a constituency allowance, an allowance calculated at the annual rate of nine hundred and ninety-five thousand two hundred and twelve kwacha.

[As amended by Act [No. 46 of 1994](#)]

3. Allowances exempt from tax

- (1) The allowances payable under this Act shall be exempt from any tax imposed on income or profits.
- (2) For the purposes of any written law relating to the taxations of income or profits, the taxable income of the holder of an office specified in the Schedule shall be determined without taking into account the value of any benefit, right or advantage relating to the occupation of housing provided by the Government.

4. Payment of gratuity

- (1) Subject to the other provisions of this section, there shall be paid to the holder of an office specified in the Schedule a gratuity at the rate of thirty-five *per centum* of the last earned gross annual emolument, multiplied by the number of years served on a *pro-rata* basis.

Provided that gratuity paid to any holder of such office under the principle Act before the commencement of this Act shall be deducted from such gratuity.

- (2) Any member of the National Assembly or the holder of an office specified in the Schedule, other than the Speaker shall not be entitled to a payment of any gratuity under subsection (1) unless he has continuously served as a member of the National Assembly or as a holder of an office specified in the Schedule for a period of not less than twelve months.

Provided that a person who has held an office specified in the Schedule or the office of member of the National Assembly for less than twelve months shall also be entitled to a gratuity under this section if he dies or if he ceases to hold such office by reason of his being elected, appointed or nominated by the President to another office.

- (3) For the purpose of calculating the period of twelve months specified in subsection (2) the holder of an office specified in the Schedule or a member of the National Assembly shall be deemed to have served continuously during any period between the date of the dissolution of Parliament and the date of the commencement of the first session of the new Parliament only if—
 - (a) he was a member of the National Assembly or the holder of an office specified in the Schedule at the time which Parliament was dissolved; and
 - (b) he becomes a member of the National Assembly or the holder of an office specified in the Schedule of the commencement of the first session of the new Parliament.

- (4) The gratuity payable under the provisions of this section shall become payable only upon dissolution of Parliament and shall be exempt from any tax imposed on income or profits.

[As amended by Act [No. 46 of 1994](#), 13 of 1995, 22 of 1996 and 14 of 1997]

5. Payments under this Act

- (1) The salary and gratuity payable to the Speaker under this Act shall be a charge on the general revenues of the Republic.
- (2) Except as provided by subsection (1), any salary, gratuity or benefit payable under this Act shall be paid from moneys appropriated by Parliament for the purpose.

6. Payment of members of National Assembly in respect

Notwithstanding anything contained in any other written law, no member of the National Assembly shall, in respect of his services as a member of—

- (a) a local authority, statutory corporation or any other board, commission, committee, council, tribunal or similar body established by or under any written law;
- (b) any administrative body whose expenses are wholly or partly defrayed out of moneys appropriated by parliament;

be paid any remuneration except by way of reimbursements in respect of travelling, subsistence or out-of-pocket expenses incurred by him in the discharge of his functions.

7. No payment of salary during imprisonment, restriction or detention

Notwithstanding anything contained in this Act, no person shall be paid any salary under this Act in respect of any period during which he is serving a sentence of imprisonment or is restricted or detained in terms of or under the authority of any such law as is referred to in the Constitution.

[Cap. 1]

First Schedule (Section 2]**Salaries and allowances payable to specified offices**

Position	Salary	Special allowance	Postal allowance	Secretarial allowance
1. Vice-President	2,400,274	2,232,577	-	-
2. Speaker	1,911,180	2,090,014	-	-
3. Deputy Speaker	1,436,286	1,995,991	-	-
4. Cabinet Minister	1,436,286	1,995,991	-	-
5. Leader of the Opposition	1,436,286	1,995,991	-	-
6. Deputy Minister	1,262,212	1,861,937	-	-
7. Private Member	1,225,546	1,231,811	135,513	255,955

Second Schedule (Section 2A)**Constituency allowance**

Position	Rural constituency	Urban constituency
1. Vice-President	1,835,578	1,351,588
2. Speaker	1,835,578	1,351,588
3. Deputy Speaker	1,835,578	1,351,588
4. Cabinet Minister	1,835,578	1,351,588
5. Leader of the Opposition	1,835,578	1,351,588
6. Deputy Minister	1,835,578	1,351,588
7. Private Member	1,835,578	1,351,588

Third Schedule (Section 2A)**Constituencies****Part 1**

Chisamba	Nyimba
Katuba	Petauke
Mkushi North	Kawambwa
Chilanga	Mwansabombwe
Feira	Bahati
Kafue	Chembe
Mkushi South	Mansa
Chama North	Chipili
Keembe	Mwense
Mumbwa	Chiengi
Chitambo	Nchelenge
Serenje	Lupososhi
Chama South	Kabompo East
Vubwi	Kabompo West
Chadiza	Chinsali
Chipangali	Shiwa Ng'andu
Kasenengwa	Solwezi Central

Luangeni	Mufumbwe
Malambo	Nakonde
Milanzi	Kasama
Mkaika	Lakashya
Chasefu	Malole
Lumezi	Kaputa
Lundazi	Chilubi
Kapoche	Chavuma
Sinda	Isoka East
Mbala	Bweengwa
Mpulungu	Monze
Senga-Hill	Namwala
Msanzala	Kalabo
Mpika-Central	Isoka West
Mporokoso	Sikongo
Lunte	Liuwa
Kanchibiya	Kaoma
Kasempa	Luampa
Mwinilunga East	Lubansenshi
Mwinilunga West	Luena
Solwezi East	Mongu

Solwezi West	Nalikwanda
Zambezi East	Nalolo
Mfuwe	Senanga
Zambezi West	Sinjembela
Choma	Mulobezi
Mbabala	Sesheke
Pemba	Kalomo
Gwembe	Katombora
Siavonga	Chikankata
Sinazongwe	Mazabuka
Dundumwenso	Magoye
Moomba	Itezhi-Tezhi
Mapatizya	Lukulu East
Lukulu West	Mangango
Mwandi	Pambashe
Mambilima	Bangweulu
Chifunabuli	Luapula
Chongwe	Rufunsa
Mwembezhi	Nangoma
Muchinga	Kafulafuta
Lufwanyama	Mpongwe

Chimbamilonga	Kapiri Mposhi
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Part II

Bwacha	Nkana
Kabwe	Wusakile
Kabwata	Luanshya
Kanyama	Roan
Matero	Kankoyo
Mandevu	Kantanshi
Munali	Mufulira
Chililabombwe	Masaiti
Chingola	Chifubu
Nchanga	Chawama
Kalulushi	Lusaka Central
Chimwemwe	Ndola
Kwacha	Chipata
Livingstone	Kabushi
Kamfinsa	
Bwana Mkubwa	

[As amended by Act [No. 46 of 1994](#) and No. 19 of 1995]